

State of Delaware
Department of Natural Resources and Environmental Control
Division of Air and Waste Management
Air Quality Management Section

156 South State Street
Dover, DE 19901

Regulation No. 30 (Title V) Operating Permit
Facility I.D. Number: 1000300404
Permit Number: AQM-003/00404 (Renewal 1)

Effective Date: draft Expiration Date: draft

Pursuant to 7 Del. C., Chapter 60, Section 6003 and the State of Delaware "**Regulations Governing the Control of Air Pollution**," Regulation No. 2, Section 2 and Regulation No. 30, Section 7(b), approval by the Department of Natural Resources and Environmental Control (Department) is hereby granted to operate the emission units listed in Condition 1 of this permit; subject to the terms and conditions of this permit.

This approval is granted to:

Permittee (hereafter referred to as ACompany@)	Plant Site Location (hereafter referred to as AFacility@)
The Premcor Refining Group, Inc. Delaware City, Delaware 19706 Responsible Official: Paul Brochu Vice President, Logistics Operations & Development	Delaware City Sales Terminal River Road and J Street Delaware City, Delaware 19706

The nature of business of the Facility is Petroleum Refining. The Standard Industrial Classification code is 2911. The North American Industry Classification System code is 324110.

All terms and conditions of this permit are enforceable by the Department and by the U.S. Environmental Protection Agency (EPA) unless specifically designated as "State Enforceable Only." [Reference Regulation No. 30 Section 6(b)(1) dated 12/11/00]

Bruce Steltzer
Environmental Engineer
Engineering & Compliance Branch
(302) 323-4542

Date

Paul E. Foster, P.E.
Program Manager
Engineering & Compliance Branch
(302) 323-4542

Date

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Condition 1. Emission Unit Identification. *[Reference Regulation No. 30 Section 3(c)(1), dated 11/15/93]*a. Emission Units Information.

Emission Unit	Emission Unit Description
Emission Unit 1 - HEADAB And Fugitive Emissions	Bottom Loading Lanes, HEADAB vapor recovery system (Emission Point 001-A) and Gasoline Rack Process Fugitives: Gasoline Loading Vapor Recovery System, Connectors, Gaskets, and other components. Loading Rack Process Fugitives: Valves, Pumps, Fittings, Open-ended Lines, Compressors, Pressure Relief Devices.
Emission Unit 2 - Flare	Ground Level Air Assisted Flare (Emission Point 001-B) - used as a back-up VCU during periods when the HEADAB is down.

b. Regulation No. 2 Permit Identification.

Reference Number	Full Regulation No. 2 Permit Designation
<u>APC-88/0125(A2)</u>	<u>APC-88/0125-CONSTRUCTION/OPERATION (A2)(MACT)</u> issued October 28, 1998. Operation of a Bulk Gasoline Terminal that consists of a Vapor Recovery Unit and a Back-up Vapor Combustion Unit.
<u>APC-88/0125(A3)</u>	<u>APC 88/0125-CONSTRUCTION (Amendment 3) (MACT)</u> issued March 20, 2001. Operation of a Bulk Gasoline Terminal to include loading Propane and Propylene.

Condition 2. General Requirements.a. Certification.

1. Each document submitted to the Department/EPA as required by this permit shall be certified by a Responsible Official as to truth, accuracy, and completeness. Such certification shall be signed by a Responsible Official and shall contain the following language: "I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete."
[Reference Regulation No. 30 Section 5(f) dated 11/15/93 and 6(c)(1) dated 12/11/00]
2. Any report of deviations required under Conditions 3(c)(2)(ii) or 3(c)(2)(iii) that must be submitted to the Department within ten (10) calendar days of the deviation, may be submitted in the first instance without a certification provided a certification meeting the requirements of Condition 2(a)(1) is submitted to the Department within ten (10) calendar days thereafter, together with any corrected or supplemental information required concerning the deviation. *[Reference Regulation No. 30 Section 6(a)(3)(iii)(D) dated 12/11/00]*

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3. Each document submitted to the Department/EPA pursuant to this permit shall be sent to the following addresses:

State of Delaware – DNREC Division of Air and Waste Management Air Quality Management Section 156 South State Street Dover, DE 19901 ATTN: Program Administrator	United States Environmental Protection Agency Associate Director of Enforcement (3AP12) 1650 Arch Street Philadelphia, PA 19103
No. of Originals: <u>1</u> No. of Copies: <u>2</u>	No. of Copies: <u>1</u>

b. Compliance.

1. The Company shall comply with all terms and conditions of this permit. Any noncompliance with this permit constitutes a violation of the applicable requirements under the Clean Air Act, and/or the State of Delaware "Regulations Governing the Control of Air Pollution," and is grounds for an enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal. *[Reference Regulation No. 30 Section 6(a)(7)(i) dated 12/11/00]*
2.
 - i. For applicable requirements with which the source is in compliance, the Company shall continue to comply with such requirements. *[Reference Regulation No. 30 Sections 5(d)(8)(iii)(A) dated 11/15/93 and 6(c)(3) dated 12/11/00]*
 - ii. For applicable requirements that will become effective during the term of this permit, the Company shall meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement. *[Reference Regulation No. 30 Sections 5(d)(8)(iii)(B) dated 11/15/93 and 6(c)(3) dated 12/11/00]*
3. Nothing in Condition 2(b)(1) of this permit shall be construed to preclude the Company from making changes consistent with Condition 2(m)(3) [Minor Permit Modifications] or Condition 4(a) [Operational Flexibility]. *[Reference Regulation No. 30 Sections 6(h) dated 12/11/00 and 7(e)(1)(v) dated 12/11/00]*
4. The fact that it would have been necessary to halt or reduce an activity in order to maintain compliance with the terms and conditions of this permit shall not constitute a defense for the Company in any enforcement action. Nothing in this permit shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in assessing penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continuing operations. *[Reference Regulation No. 30 Section 6(a)(7)(ii) dated 12/11/00]*
5. The Company may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency or malfunction if both the record keeping requirements in Condition 3(b)(2)(iii) and the reporting requirements in Condition 3(c)(2)(ii)(A) are satisfied. *[Reference Regulation No. 30 Section 6(g)(2) dated 12/11/00]*
6.
 - i. In any enforcement proceeding, the Company seeking to establish the occurrence of an emergency or malfunction has the burden of proof. *[Reference Regulation No. 30*

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Section 6(g)(4) dated 12/11/00]

- ii. The provisions of Regulation No. 30 pertaining to Emergency/Malfunctions as defined in Conditions Nos. 2(b)(5); 2(b)(6); 3(b)(2)(iii); and 3(c)(2)(ii)(A) of this permit are in addition to any emergency or malfunction provision contained in any applicable requirement. *[Reference Regulation No. 30 Section 6(g)(5) dated 12/11/00]*
7. The Company shall comply with the Ambient Air Quality Standards in accordance with the State of Delaware Regulations Governing the Control of Air Pollution. *[Reference Regulation No. 3, dated 3/29/88]*
8. If required, the schedule of compliance in Condition 5 of this permit is supplemental to and shall not sanction noncompliance with the applicable requirements upon which it is based. *[Reference Regulation No. 30 Section 5(d)(8)(iii)(C) dated 11/15/93]*
9. Nothing in this permit shall be interpreted to preclude the use of any credible evidence to demonstrate noncompliance with any term of this permit. *[Reference 62 FR 8314 dated 2/24/97]*
- c. **Confidentiality.** The Company may make a claim of confidentiality for any information or records submitted to the Department. However, by submitting a permit application, the Company waives any right to confidentiality as to the contents of its permit, and the permit contents will not be entitled to protection under 7 Del. C., Chapter 60, Section 6014. *[Reference Regulation No. 30 Sections 5(a)(4) dated 11/15/93, 6(a)(3)(iii)(E) dated 12/11/00, and 6(a)(7)(v) dated 12/11/00]*
 1. Confidential information shall meet the requirements of 7 Del. C., Chapter 60, Section 6014, and 29 Del. C., Chapter 100. *[Reference Regulation No. 30 Section 5(a)(4) dated 11/15/93]*
 2. If the Company submits information to the Department under a claim of confidentiality, the Company shall also submit a copy of such information directly to the EPA, if the Department requests that the Company do so. *[Reference Regulation No. 30 Section 5(a)(4) dated 11/15/93]*
- d. **Construction, Installation, or Alteration.** The Company shall not initiate construction, installation, or alteration of any equipment or facility or air contaminant control device which will emit or prevent the emission of an air contaminant prior to submitting an application to the Department under Regulation No. 2, and, when applicable, Regulation No. 25, and receiving approval of such application from the Department; except as exempted in Regulation No. 2 Section 2.2 of the State of Delaware "Regulations Governing the Control of Air Pollution." *[Reference Regulation No. 2 Section 2.1 dated 6/1/97 and Regulation No. 30 Section 7(b)(3) dated 12/11/00]*
- e. **Definitions/Abbreviations.** Except as specifically provided for below, for the purposes of this permit, terms used herein shall have the same meaning accorded to them under the applicable requirements of the Clean Air Act and the State of Delaware "**Regulations Governing the Control of Air Pollution.**"
 1. "Act" means the Clean Air Act, as amended by the Clean Air Act Amendments of November 15, 1990, 42 U.S.C. 7401 et seq. *[Reference Regulation No. 30 Section 2 dated 11/15/93]*

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2. "AP-42" means the Compilation Of Air Pollutant Emission Factors, Fifth Edition, AP-42, dated January 15, 1995, as amended with Supplements "A" dated February 1996, "B" dated November 1996, "C" dated November 1997, "D" dated August 1998, "E" dated September 1999, and "F" dated September 2000 and the December 2001 update, the December 2002 update and the December 2003 update.
3. "CFR" means Code of Federal Regulations.
4. "Emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the sources, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.
[Reference Regulation No. 30 Section 6(g)(1) dated 12/11/00]
5. "Malfunction" means any sudden and unavoidable failure of air pollution control equipment or of a process to operate in a normal or usual manner, and that causes the source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the malfunction. A malfunction shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.
[Reference Regulation No. 30 Section 6(g)(1) dated 12/11/00]
6. "Number 2 (No. 2) fuel oil" means distillate oil.
7. "Reg." and "Regulation" mean State of Delaware "**Regulations Governing the Control of Air Pollution.**"
8. "**Regulations Governing the Control of Air Pollution**" means the codification of those regulations enacted by the Delaware Department of Natural Resources and Environmental Control, in accordance with 7 Del. C., Chapter 60, Section 6010.

f. Duty to Supplement.

1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the Company shall promptly submit to the Department such supplementary facts or corrected information. *[Reference Regulation No. 30 Section 5(b) dated 11/15/93]*
2. The Company shall promptly submit to the Department information as necessary to address any requirement(s) that become applicable to the source after the date it filed a complete application but prior to the release of a corresponding draft permit.
[Reference Regulation No. 30 Section 5(b) dated 11/15/93]
3. The Company shall furnish to the Department, upon receipt of a written request and within a reasonable time specified by the Department:
 - i. Any information that the Department determines is reasonable necessary to evaluate or take final action on any permit application submitted in accordance with

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Condition 2(l) or 2(m) of this permit. The Company may request an extension to the deadline the Department may impose on the response for such information. *[Reference Regulation No. 30 Section 5(a)(2)(iii) dated 11/15/93]*

- ii. Any information that the Department requests to determine whether cause exists to modify, terminate, or revoke this permit, or to determine compliance with the terms and conditions of this permit. *[Reference Regulation No. 30 Section 6(a)(7)(v) dated 12/11/00]*
- iii. Copies of any record(s) required to be kept by this permit. *[Reference Regulation No. 30 Section 6(a)(7)(v) dated 12/11/00]*
- g. Emission Trading.** No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit. *[Reference Regulation No. 30 Section 6(a)(9) dated 12/11/00]*
- h. Fees.** The Company shall pay fees to the Department consistent with the fee schedule established by the Delaware General Assembly. *[Reference Regulation No. 30 Section 6(a)(8) dated 12/11/00 and Section 9 dated 11/15/93]*
- i. Inspection and Entry Requirements.** Upon presentation of identification, the Company shall allow authorized officials of the Department to perform the following:
 1. Enter upon the Company's premises where a source is located or an emissions-related activity is conducted, or where records that must be kept under the terms and conditions of this permit are located. *[Reference Regulation No. 30 Section 6(c)(2)(i) dated 12/11/00]*
 2. Have access to and copy, at reasonable times, any record(s) that must be kept under the terms and conditions of this permit. *[Reference Regulation No. 30 Section 6(c)(2)(ii) dated 12/11/00]*
 3. Inspect, at reasonable times and using reasonable safety practices, any facility, equipment (including monitoring and air pollution control equipment), practice, or operation regulated or required under this permit. *[Reference Regulation No. 30 Section 6(c)(2)(iii) dated 12/11/00]*
 4. Sample or monitor, at reasonable times, any substance or parameter for the purpose of assuring compliance with this permit or any applicable requirement. *[Reference Regulation No. 30 Section 6(c)(2)(iv) dated 12/11/00]*
- j. Permit and Application Consultation.** The Company is encouraged to consult with Department personnel before submitting an application or, at any other time, concerning the operation, construction, expansion, or modification of any installation, or concerning the required pollution control devices or system, the efficiency of such devices or system, or the pollution problem related to the installation. *[Reference Regulation No. 30 Section 5(a)(1)(vii) dated 11/15/93]*
- k. Permit Availability.** The Company shall have available at the facility at all times a copy of this permit and shall provide a copy of this permit to the Department upon request. *[Reference Regulation No. 2 Section 8.1 dated 6/1/97]*

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I. Permit Renewal. This permit expires on **MARCH XX, 20XX** except as provided in Condition 2(l)(3) below. *[Reference Regulation No. 30 Section 6(a)(2) dated 12/11/00]*

1. Applications for permit renewal shall be subject to the same procedural requirements, including those for public participation, *affected state* comment, and EPA review, that apply to initial permit issuance under Regulation No. 30 Section 7(a), except that an application for permit renewal may address only those portions of the permit that the Department determines require revision, supplementing, or deletion, incorporating the remaining permit terms by reference from the previous permit. The Department may similarly, in issuing a draft renewal permit or proposed renewal permit, specify only those portions that will be revised, supplemented, or deleted, incorporating the remaining permit terms by reference. *[Reference Regulation No. 30 Section 7(c)(1) dated 12/11/00]*
2. The Company's right to operate shall cease upon the expiration date unless a timely and complete renewal application has been submitted to the Department twelve (12) months prior to the expiration date of this permit. *[Reference Regulation No. 30 Section 7(c)(2) dated 12/11/00]*
3. If a timely and complete application for a permit renewal is submitted to the Department pursuant to Regulation No. 30, Section 5(a)(2)(iv), dated 11/15/93, and Section 7(c)(1), dated 12/11/00, and the Department, through no fault of the Company, fails to take final action to issue or deny the renewal permit before the end of the term of this permit, then this permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted for the permit shall continue in effect during that time. *[Reference Regulation No. 30 Section 7(c)(3) dated 12/11/00]*

m. Permit Revision and Termination.

1. i. This permit may be modified, revoked, reopened, and reissued, or terminated for cause. *[Reference Regulation No. 30 Section 6(a)(7)(iii) dated 12/11/00]*
ii. Except as provided under Condition 2(m)(3) [Minor Permit Modification], the filing of a request by the Company for a permit modification, revocation and reissuance, or termination, or of a modification of planned changes or anticipated noncompliance does not stay any term or condition of this permit. *[Reference Regulation No. 30 Section 6(a)(7)(iii) dated 12/11/00 and 7(e)(1)(v) dated 12/11/00]*
2. "Administrative Permit Amendment." When required, the Company shall submit to the Department a request for an administrative permit amendment in accordance with Regulation No. 30 Section 7(d) of the State of Delaware "**Regulations Governing the Control of Air Pollution.**" *[Reference Regulation No. 30 Section 7(d) dated 12/11/00]*
3. "Minor Permit Modification." When required, the Company shall submit to the Department an application for a minor permit modification in accordance with Regulation No. 30 Section 7(e)(1) and 7(e)(2) of the State of Delaware "**Regulations Governing the Control of Air Pollution.**" *[Reference Regulation No. 30 Section 7(e)(1) dated 12/11/00 and 7(e)(2) dated 12/11/00]*

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- i. For a minor permit modification, during the period of time between the time the Company makes the change or changes proposed in the minor permit modification application and the time that the Department takes action on the application, the Company shall comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this period the Company, at its own risk, need not comply with the existing terms and conditions of this permit that it seeks to modify. *[Reference Regulation No. 30 Section 7(e)(1)(v) dated 12/11/00 and 7(e)(2)(v) dated 12/11/00]*
 - ii. If the Company fails to comply with its proposed permit terms and conditions during this time period, the existing terms and conditions of this permit may be enforced against the Company. *[Reference Regulation No. 30 Section 7(e)(1)(v) dated 12/11/00 and 7(e)(2)(v) dated 12/11/00]*
4. "Significant Permit Modification." When required, the Company shall submit to the Department an application for a significant permit modification in accordance with Regulation No. 30 Section 7(e)(3) of the State of Delaware "**Regulations Governing the Control of Air Pollution.**" *[Reference Regulation No. 30 Section 7(e)(3) dated 12/11/00]*
5.
 - i. When the Company is required to meet the requirements under section 112(g) of the Act or to obtain a preconstruction permit under the State of Delaware "**Regulations Governing the Control of Air Pollution.**" the Company shall file a complete application to revise this permit within twelve (12) months of commencing operation of the construction or modification. *[Reference Regulation No. 30 Section 5(a)(1)(iv) dated 11/15/93]*
 - ii. When the Company is required to obtain a preconstruction permit, the Company may submit an application to revise this permit for concurrent processing. The revision request for this permit when submitted for concurrent processing shall be submitted to the Department with the Company's preconstruction review application or at such later time as the Department may allow. Where this permit would prohibit such construction or change in operation, the Company shall obtain a permit revision before commencing operation. *[Reference Regulation No. 2 Sections 11.2(j), 11.5 and 12.4, dated 6/1/97, and Regulation No. 30 Section 5(a)(1)(iv) dated 11/15/93]*
 - iii. Where an application is not submitted for concurrent processing, the Company shall obtain an operating permit under the State of Delaware "**Regulations Governing the Control of Air Pollution**" prior to commencing operation of the construction or modification to cover the period between the date operation is commenced and until such time as operation is approved under Regulation No. 30. *[Reference Regulation No. 2 Section 2.1 dated 6/1/97]*
6. "Permit Termination." The Company may at any time apply for termination of this permit in accordance with Regulation No. 30 Section 7(h)(4) or Section 7(h)(5) of the State of Delaware "**Regulations Governing the Control of Air Pollution.**" *[Reference Regulation No. 30 Sections 7(h)(4) dated 12/11/00 and 7(h)(5) dated 12/11/00]*

n. Permit Transfer.

1. A change in ownership or operational control of this facility shall be treated as an

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administrative permit amendment where the Department has determined that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new owner has been submitted to the Department. *[Reference Regulation No. 30 Section 7(d)(1)(iv) dated 12/11/00]*

2. In addition to any written agreement submitted by the Company in accordance with Condition 2(n)(1), the Company shall have on file at the Department a statement meeting the requirements of 7 Del. C., Chapter 79, Section 7902. This permit condition is state enforceable only. *[Reference 7 Del. C., Chapter 79 dated 7/20/92]*
3. The written agreement required in Condition 2(n)(1) of this permit shall be provided to the Department within a minimum of thirty (30) calendar days prior to the specific date for transfer and shall indicate that the transfer is agreeable to both the current and new owner. *[Reference Regulation No. 2 Section 7.1 dated 6/1/97]*

o. Property Rights. This permit does not convey any property rights of any sort, or any exclusive privilege. *[Reference Regulation No. 30 Section 6(a)(7)(iv) dated 12/11/00]*

p. Risk Management Plan Submissions.

1. In the event this stationary source, as defined in the State of Delaware "**Accidental Release Prevention (ARP) Regulation**" Section 4, is subject to or becomes subject to Section 5 of the "**ARP Regulation**", dated January 11, 1999, the owner or operator shall submit a risk management plan (RMP) to the Environmental Protection Agency's RMP Reporting Center by the date specified in Section 5.10 and required revisions as specified in Section 5.190. A certification statement shall also be submitted as mandated by Section 5.185. *[Reference Regulation No. 30 Section 6(a)(4) dated 12/11/00, State of Delaware "**Accidental Release Prevention Regulation**" dated 1/11/99 and Delaware; Approval of Accidental Release Prevention Program, Federal Register/Vol. 6, No. 11 pages 30818-22 dated June 8, 2001]*
2. If this stationary source, as defined in the State of Delaware "**ARP Regulation**" Section 4, is not subject to Section 5 but is subject or becomes subject to Section 6 of the "**ARP Regulation**" dated January 11, 1999, the owner or operator shall submit a Delaware RMP to the State of Delaware's Accidental Release Prevention group by the date specified in Section 6.10 and required revisions as specified by Section 6.60(j). *[Reference State of Delaware "Accidental Release Prevention Regulation" dated 1/11/99]*

q. Protection of Stratospheric Ozone. When applicable, this Facility shall comply with the following requirements: *[Reference 40 CFR Part 82 "**Protection of Stratospheric Ozone**" revised as of 7/1/97]*

1. The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
 - i. All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a process that uses a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to §82.106.
 - ii. The placement of the required warning statement must comply with the

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requirements pursuant to §82.108.

- iii. The form of the label bearing the required warning statement must comply with the requirements pursuant to §82.110.
 - iv. No person may modify, remove, or interfere with the required warning statement except as described in §82.112.
2. Any person servicing, maintaining, or repairing appliances, except for motor vehicles, shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B. In addition, Subpart F applies to refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment.
- i. Persons owning appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to §82.154 and §82.156.
 - ii. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
 - iii. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to §82.161.
 - iv. Persons performing maintenance, service, repair, or disposal of appliances must certify with the Administrator pursuant to §82.158 and §82.162.
 - v. Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record keeping requirements pursuant to §82.166. ("MVAC-like appliance" as defined at §82.152)
 - vi. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to §82.156.
3. Owners/Operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR Part 82, Subpart F §82.166.
4. If the permittee manufactures, transforms, destroys, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A, Production and Consumption Controls.
5. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the MVAC, the permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo,

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or system used on passenger buses using HCFC-22 refrigerant. These systems are regulated under 40 CFR Part 82, Subpart F.

6. The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed as acceptable in the Significant new Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, Significant New Alternatives Policy Program.

- r. **Severability.** The provisions of this permit are severable. If any part of this permit is held invalid, the application of such part to other persons or circumstances and the remainder of this permit shall not be affected thereby and shall remain valid and in effect. *[Reference Regulation No. 30 Section 6(a)(6) dated 12/11/00]*

Condition 3. Specific Requirements.

- a. **Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s).** The Company shall comply with the emission limitations/standards detailed in Condition 3 – Table 1 of this permit. *[Reference Regulation No. 30 Section 6(a)(1) dated 12/11/00]*

- b. **Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping).** The Company shall maintain records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or application. Support information includes all original strip-chart recordings, where appropriate, for continuous monitoring instrumentation, and copies of all reports required by the permit. Where appropriate, the permit may specify that records may be maintained in computerized form. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(B) dated 12/11/00]*

1. i. **Specific Requirements.** The Company shall comply with the operational limitation(s), monitoring, testing, and record keeping requirement(s) detailed in Condition 3 – Table 1 which are in addition to those in Conditions 3(b)(1)(ii) and 3(b)(2). *[Reference Regulation No. 30 Sections 6(a)(1) dated 12/11/00, 6(a)(3)(i) dated 12/11/00, and 6(a)(10) dated 12/11/00]*
- ii. **General Testing Requirements.** Upon written request of the Department, the Company shall, at the Company's expense, sample the emissions of, or fuel used by, an air contaminant emission source, maintain records and submit reports to the Department on the results of such sampling. *[Reference Regulation No. 17 Section 2.2 dated 7/17/84]*
2. **General Record Keeping Requirements.** The Company shall record, at a minimum, all of the following information.
 - i. If required, for each operating scenario identified in Condition 3 – Table 1 of this permit, a log that indicates the operating scenario under which each particular emission unit is operating. The Company shall, contemporaneously with changing from one operating scenario to another, record in this log the scenario under which it is operating. *[Reference Regulation No. 30 Section 6(a)(10) dated 12/11/00]*
 - ii. The following information to the extent specified in Condition 3 – Table 1 of this permit. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(A) dated 12/11/00]*

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- A. The date, place, and time of the sampling or measurements. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(aa) dated 12/11/00]*
 - B. The date(s) analyses were performed. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(bb) dated 12/11/00]*
 - C. The company or entity that performed the analyses. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(cc) dated 12/11/00]*
 - D. The analytical techniques or methods used. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(dd) dated 12/11/00]*
 - E. The results of such analyses. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(ee) dated 12/11/00]*
 - F. The operating conditions as existing at the time of sampling or measurement. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(a)(ff) dated 12/11/00]*
- iii. If the Company is claiming the affirmative defense of emergency or malfunction as provided in Condition 2(b)(5); properly signed, contemporaneous operating log(s), or other relevant evidence which indicates that: *[Reference Regulation No. 30 Section 6(g)(3) dated 12/11/00]*
- A. An emergency or malfunction occurred and the cause(s) of the emergency or malfunction. *[Reference Regulation No. 30 Section 6(g)(3)(i) dated 12/11/00]*
 - B. The facility was at the time of the emergency or malfunction being operating in a prudent and professional manner and in compliance with the generally accepted industry operations and maintenance procedures. *[Reference Regulation No. 30 Section 6(g)(3)(ii) dated 12/11/00]*
 - C. During the period of the emergency or malfunction the Company took all reasonable steps to minimize levels of emissions that exceeded the emission standard(s), or other requirement(s) of this permit. *[Reference Regulation No. 30 Section 6(g)(3)(iii) dated 12/11/00]*
- iv. A copy of the written notice required by Condition 3(c)(2)(iii) for each change made under Condition 4(c) [Operational Flexibility] of this permit shall be maintained with a copy of this permit. *[Reference Regulation No. 30 Section 6(h)(1) dated 12/11/00]*

c. Reporting and Compliance Certification Requirement(s).

1. Specific Reporting/Certification Requirements. The Company shall comply with the Reporting/Certification Requirement(s) detailed in Condition 3 – Table 1 of this permit, which are in addition to those of Conditions 3(c)(2) and 3(c)(3). Each report that contains any deviation(s) from the terms of Condition 3 – Table 1 shall identify the probable cause of the deviation(s) and any corrective action(s) or preventative measure(s) taken. *[Reference Regulation No. 30 Sections 6(a)(3)(iii) dated 12/11/00, 6(a)(3)(iii)(C)(cc) dated 12/11/00, and 6(a)(3)(iii)(C)(dd) dated 12/11/00]*

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2. General Reporting Requirements.

- i. The Company shall submit to the Department a report of any required monitoring not later than the first day of August (covering the period from January 1 through June 30) and the first day of February (cover the period July 1 through December 31) of each calendar year. Each report shall identify any deviation(s) from the monitoring, record keeping and reporting requirements under this permit, and the probable cause of the deviation(s) and any corrective actions or preventative measures taken. If no deviation(s) has occurred such shall be stated in the report. *[Reference Regulation No. 30 Section 6(a)(3)(iii)(A) dated 12/11/00 and (B) dated 12/11/00, and Section 6(a)(3)(iii)(C)(dd) dated 12/11/00]*
- ii. In addition to the semiannual monitoring reports required under Condition 3(c)(2)(i), the Company shall submit to the Department supplemental written report(s)/notice(s) identifying all deviations from permit conditions, probable cause of the deviations, and any corrective actions or preventative measures as follows: *[Reference Regulation No. 30 Sections 6(a)(3)(iii)(C)(cc) dated 12/11/00 and 6(a)(3)(iii)(C)(dd) dated 12/11/00]*
 - A. If the Company is claiming the affirmative defense of emergency or malfunction as provided in Condition 2(b)(5) of this permit, a notice of any deviation resulting from emergency or malfunction conditions shall be reported to the Department within two (2) working days of the time when the technology-based emission limitations were exceeded. Such notice shall contain a description of the emergency or malfunction, any steps taken to mitigate emissions, and any corrective actions taken. *[Reference Regulation No. 30 Sections 6(a)(3)(iii)(C)(aa) dated 12/11/00 and 6(g)(3)(iv) dated 12/11/00]*
 - B. Emissions in excess of any permit condition or emissions which create a condition of air pollution shall be reported to the Department:
 1. Immediately upon discovery and after activating the appropriate site emergency plan to the Department's 24-hour complaint line (1-800-662-8802) any deviation that poses an imminent and substantial danger to public health, safety, or the environment. *[Reference Regulation No. 30 Section 6(a)(3)(iii)(C)(bb) dated 12/11/00]*
 2. Immediately upon discovery by calling the Environmental Emergency Notification and Complaint number (800) 662-8802. (State Enforceable Only) *[Reference Regulation No. 30 Section 6(a)(3)(iii)(C)(cc) dated 12/11/00]*
 3. In a written report pursuant to Condition 3(c)(2)(i) and/or the specific reporting requirements listed in Condition 3 – Table 1. *[Reference Regulation No. 30 Sections 6(a)(3)(iii)(C)(cc) dated 12/11/00 and 6(a)(3)(iii)(C)(dd) dated 12/11/00]*
 - C. Discharges to the atmosphere in excess of any quantity specified in the State of Delaware "**Reporting of a Discharge of a Pollutant or an Air Contaminant**" Regulation shall be reported, immediately upon discovery and after activating the appropriate site emergency plan, either in person or

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to the Department's 24-hour complaint line (1-800-662-8802). Discharges in compliance with this permit and excess emissions previously reported under Condition 3(c)(2)(ii)(B) of this permit are exempt from this reporting requirement. *[Reference Regulation No. 30 Section 6(a)(3)(iii)(C)(ee) dated 12/11/00 and 7 Del. C., Chapter 60, Section 6028]*

- iii. Prior to making a change as provided in Condition 4 [Operational Flexibility] of this permit the Company shall give written notice to the Department and EPA at least seven (7) calendar days before the change is to be made. *[Reference Regulation No. 30 Section 6(h)(1) dated 12/11/00]*
 - A. The seven (7) day period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a significant health, safety, or environmental hazard. *[Reference Regulation No. 30 Section 6(h)(1) dated 12/11/00]*
 - B. If less than seven (7) calendar days notice is provided because of a need to respond more quickly to such unanticipated conditions, the Company shall provide notice to the Department and EPA as soon as possible after learning of the need to make the change, together with the reason(s) why advance notice could not be given. *[Reference Regulation No. 30 Section 6(h)(1) dated 12/11/00]*
 - C. The written notice shall include all of the following information: *[Reference Regulation 30 Section 6(h)(1) dated 12/11/00]*
 - 1. The identification of the affected emission unit(s) and a description of the change to be made.
 - 2. The date on which the change will occur.
 - 3. Any changes in emissions.
 - 4. Any permit terms and conditions that are affected, including any new applicable requirements.
- iv. The Company shall submit to the Department an annual emissions statement in accordance with Regulation No. 17 Section 7 not later than April 30 of each year, or other date as established by the Department, unless an extension by the Department is granted. Such emissions statement shall cover the preceding calendar year. *[Reference Regulation No. 17 Section 7 dated 1/11/93]*
- v. If required, the Company shall submit to the Department a progress report for applicable requirement(s) identified in Condition 5 – Table 1 of this permit. Such reports shall be submitted not later than the first day of August (covering the period from January 1 through June 30) and the first day of February (cover the period July 1 through December 31) of each calendar year. Each progress report shall include the following: *[Reference Regulation No. 30 Sections 5(d)(8) dated 11/15/93 and 6(c)(4) dated 12/11/00]*
 - A. Dates for achieving the activities, milestones, or compliance required in the

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schedule of compliance, and dates when such activities, milestones or compliance were achieved. *[Reference Regulation No. 30 Section 6(c)(4)(i) dated 12/11/00]*

B. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted. *[Reference Regulation No. 30 Section 6(c)(4)(ii) dated 12/11/00]*

vi. Nothing herein shall relieve the Company from any reporting requirements under federal, state or local laws. *[Reference Regulation No. 30 Section 6(a)(3)(iii)(C)(ee) dated 12/11/00]*

3. General Compliance Certification Requirements.

i. Compliance with terms and conditions of this permit shall be certified to the Department not later than the first day of February of each year unless the terms or conditions in Condition 3 – Table 1 require compliance certifications to be submitted more frequently. Such certification shall cover the previous calendar year and shall be submitted on Form AQM-1001BB. The Compliance Certification shall include the following information: *[Reference Regulation No. 30 Section 6(c)(5)(i) dated 12/11/00]*

A. The identification of each term or condition of the permit that is the basis of the certification. *[Reference Regulation No. 30 Section 6(c)(5)(iii)(A) dated 12/11/00]*

B. The Company's current compliance status, as shown by monitoring data and other information reasonably available to the Company. *[Reference Regulation No. 30 Section 6(c)(5)(iii)(B) dated 12/11/00]*

C. Such certification shall indicate whether compliance was continuous or intermittent during the covered period. *[Reference Regulation No. 30 Section 6(c)(5)(iii)(C) dated 12/11/00]*

D. The method(s) used for determining the compliance status of the Company, currently and over the reporting period as required by the monitoring, record keeping, and reporting required under Condition 3. *[Reference Regulation No. 30 Section 6(c)(5)(iii)(D) dated 12/11/00]*

E. Such other facts as the Department may require to determine the compliance status of the source. *[Reference Regulation No. 30 Section 6(c)(5)(iii)(E) dated 12/11/00]*

ii. Each compliance certification shall be submitted to the Department and EPA and shall be certified in accordance with Condition 2(a) of this permit. *[Reference Regulation No. 30 Section 6(c)(5)(iv) dated 12/11/00]*

iii. Any additional information possessed by the Company that demonstrates noncompliance with any applicable requirement must also be used as the basis for compliance certifications. *[Reference 62 FR 8314 dated 2/24/97]*

A. Each compliance certification shall be submitted to the Department and EPA and shall be certified in accordance with Condition 2(a) of this permit. *[Reference Regulation No. 30 Section 6(c)(5)(iv), dated 11/15/93]*

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- B. Any additional information possessed by the Company that demonstrates noncompliance with any applicable requirement must also be used as the basis for compliance certifications. *[Reference 62 FR 8314, dated 2/24/97].*

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Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
a. <u>Emission Unit No. 1 and Fugitive Emissions</u>		
<p>1. Volatile Organic Compounds (VOCs)</p> <p>i. Emission Limitations:</p> <p>A. VOC emissions from the vapor collection and processing systems due to the loading of gasoline cargo tanks shall not exceed 10 mg/Liter of gasoline loaded. <i>[Reference Permit APC-88/0125(A2) Cond. No. 1 and 40 CFR 63.422(b) dated 7/1/06]</i></p> <p>B. The annual VOC emissions from the loading rack and the VRU shall not exceed 68.1 tons on a rolling 12 month basis. <i>[Reference Permit APC-88/0125(A2) Cond. No. 1]</i></p> <p>C. VOC emissions shall not exceed 1.1% measured as propane dry on a 60 minute rolling average basis. <i>[Reference Permit APC-88/0125(A2) Cond No. 6]</i></p> <p>D. VOC emissions from the vapor collection system due to the loading of liquid product into gasoline tank trucks shall not exceed 80 mg/Liter of gasoline loaded. <i>[Reference Regulation 24 Section 25(b)(9) dated 11/29/94 and 40 CFR 60.502(c) dated 7/1/05]</i></p> <p>ii. Operational Limitations:</p> <p>A. Maximum throughput of gasoline shall not exceed 693,720,000 gallons on a rolling twelve (12) month basis. The number of propane trucks loaded shall not exceed 15,000 in any twelve consecutive months and the number of propylene trucks loaded shall not exceed 7,000 in any</p>	<p>iv. Compliance Method:</p> <p>A. Compliance with Condition 3 Table 1(a)(1)(i)(A) shall be based on compliance with Condition 3 Table 1(a)(1)(i)(C). <i>[Reference Permit APC-88/0125(A2) Condition No. 6]</i></p> <p>B. Compliance with Condition 3 Table 1(a)(1)(i)(B) shall be based on compliance with Condition 3 Table 1(a)(1)(ii)(A).</p> <p>C. Compliance with Condition 3 Table 1(a)(1)(i)(C) shall be by the CMS. <i>[Reference Permit APC-88/0125(A2) Cond No. 5]</i></p> <p>D. Compliance with Condition 3 Table 1(a)(1)(i)(D) shall be demonstrated by compliance with Condition 3 Table 1(a)(1)(i)(A).</p> <p>E. Compliance with Condition 3 Table 1(a)(1)(iii)(A) shall be demonstrated by compliance with Condition 3 Table 1(a)(1)(i)(B).</p> <p>F. Compliance with Condition 3 Table 1(a)(1)(iii)(B) shall be demonstrated by record keeping.</p> <p>G. Compliance with Condition 3 Table 1(a)(1)(iii)(C) is based on compliance with Condition 3 Table 1(a)(1)(i) and Condition 3 Table 1(b)(2)(i).</p> <p>H. Compliance with Condition 3 Table 1(a)(1)(iii) shall be demonstrated by complying with the monitoring, testing, and record keeping requirements specified in 40 CFR 63.424. <i>[Reference 40 CFR 63.424 dated 7/1/06]</i></p> <p>I. Compliance with Condition 3 Table 1(a)(1)(iii) shall be based on compliance with Condition 3 Table 1(a)(1)(iii).</p> <p>J. Compliance with Condition 3 Table 1(a)(1)(ii)(A) shall be demonstrated by record keeping.</p> <p>K. Compliance with Condition 3 Table 1(a)(1)(i)(E) shall be demonstrated by compliance with Condition 3 Table 1(a)(1)(i)(A).</p>	<p>vi. Reporting Requirements:</p> <p>In addition to Condition 3(c)(2) of this permit, the Company is required to report the following:</p> <p>A. All periods of operation when the average VOC concentration in the exhaust gases exceeds 1.1% as propane dry measured by CMS. <i>[Reference Permit APC-88/0125(A2) Cond No. 11(c)]</i></p> <p>B. All product throughput and all propane/propylene loadings in excess of Condition 3 Table 1(a)(1)(ii)(A). <i>[Reference Permit APC-88/0125 Condition No. 11(c)]</i></p> <p>C. All periods when the VRU is down. <i>[Reference Permit APC-88/0125(A2) Cond No. 11(c)]</i></p> <p>D. Semi-annual excess emission reports in accordance with 40 CFR 63.10(e)(3) <i>[Reference Permit APC-88/0125(A2) Cond No. 11(c) and 40 CFR 63.10(e)(3) dated 7/1/06]</i></p> <p>E. Semi-annual reports for equipment in gasoline service in accordance with 40 CFR 63.428. <i>[Reference Permit APC-88/0125(A2) Cond No. 11(c) and 40 CFR 63.428 dated 7/1/06]</i></p> <p>F. All periods when the Carbon is spent and has to be replaced. <i>[Reference Reg. 30 Section 6(a)(3)(ii)(C) dated 12/11/00]</i></p> <p>G. The Company shall submit Start-up, Shut-down, and Malfunction reports in accordance with 40 CFR 63.10(d)(5) <i>[Reference Permit APC-88/0125(A2) Cond No. 10 and 40 CFR 63.10(d)(5) dated 7/1/06]</i></p> <p>vii. Certification Requirements:</p> <p>None in addition to Condition 3(c)(3) of this permit.</p>

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<p>twelve consecutive months. <i>[Reference Permit APC-88/0125(A3) Cond No. 9]</i></p> <p>B. The vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in the delivery tank from exceeding 4,500 pascals (450 mm of water) during product loading. <i>[Reference 40 CFR 60.502(h) dated 7/1/05]</i></p> <p>C. No pressure-vacuum vent in the terminal's vapor collection system shall begin to open at a system pressure less than 4,500 pascals (450 mm of water). <i>[Reference 40 CFR 60.502(i) dated 7/1/05]</i></p> <p>iii. Operational Standards:</p> <p>A. Each vapor collection system shall be operated in a manner to prevent any total organic compounds vapors collected at one loading rack from passing to another loading rack. <i>[Reference Regulation No. 24 Section 25(b)(2) dated 11/29/1994, 40 CFR 60.502(d) dated 7/1/05]</i></p> <p>B. Loadings of liquid product into gasoline cargo tanks shall be limited to vapor-tight gasoline cargo tanks using the procedures in 40 CFR 60.502(e) and 40 CFR 63.422(c). <i>[Reference Reg. 24 Section 25(b)(3) dated 11/29/94, 40 CFR 60.502(e) dated 7/1/05 and 40 CFR 63.422(c) dated 7/1/06]</i></p> <p>C. The Marketing Terminal shall not be operated unless the HEADAB or VCU (flare) are operating properly. <i>[Reference Permit: APC-88/0125(A2) Cond No. 9]</i></p> <p>D. The Company shall act to assure that loadings of gasoline cargo tanks are made only into tanks</p>	<p>iv. Monitoring/Testing:</p> <p>A. VOC emissions from the VRU shall be continuously monitored by a CMS. <i>[Reference Permit APC-88/0125(A2) Cond No. 11(a)]</i></p> <p>B. Quality Assurance requirements for the VOC CMS shall be in accordance with the procedures described in 40 CFR 60 Appendix F. <i>[Reference Permit APC-88/0125(A2) Cond No. 7]</i></p> <p>C. The Company shall monitor the daily gasoline throughput in gallons. <i>[Reference Permit APC-88/0125(A2) Cond No. 12(a)(iii)]</i></p> <p>D. The certification test for gasoline cargo tanks shall be in accordance with the procedures detailed in 40 CFR 63.425(e), (f), (g) and (h). <i>[Reference 40 CFR 63.425(e)–(h) dated 7/1/06]</i></p> <p>E. The Company shall implement a Start-up, Shut-down, and Malfunction Plan in accordance with 40 CFR 63.6(e)(3). <i>[Reference Permit APC-88/0125(A2) Cond No. 10 and 40 CFR 63.6(e)(3) dated 7/1/06]</i></p> <p>F. The Company shall perform a monthly leak inspection of all equipment in gasoline service. For this inspection, detection methods incorporating sight, sound, and smell are acceptable. Each piece of equipment shall be inspected during the loading of a gasoline cargo tank. <i>[Reference Reg. No. 24 Section 25(b)(8) dated 11/29/94 and 40 CFR 63.424(a) dated 7/1/06]</i></p> <p>G. For leaks detected, the Company shall follow the repair schedule in accordance with 40 CFR 63.424(c) and (d). <i>[Reference 40 CFR 63.424(c) and (d) dated 7/1/06]</i></p> <p>H. The Company shall operate and maintain, according to the manufacturer's specifications, the continuous monitoring system (CMS) as specified in 40 CFR 63.427(a)(1) and (4). <i>[Reference 40 CFR 63.427(a) dated 7/1/06]</i></p>	

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<p>equipped with vapor collection equipment that is compatible with the terminal's vapor collection system. <i>[Reference Reg. 24 Section 25(b)(4) dated 11/29/94 and 40 CFR 60.502(f) dated 7/1/05]</i></p> <p>E. All the loading racks shall be equipped with a vapor collection system designed to collect the organic compound liquids or vapors displaced from gasoline tank trucks during product loading. <i>[Reference Reg. No. 24 Section 25(b)(1) dated 11/29/94, 40 CFR 60.502(a) dated 7/1/05]</i></p> <p>F. The Company shall act to assure that the terminal's and the tank truck's vapor collection systems are connected during each loading of a gasoline cargo tank. Examples of actions to accomplish this include training drivers in the hookup procedures and posting visible reminder signs. <i>[Reference Reg. No. 24 Section 25(b)(5) dated 11/29/94, 40 CFR 60.502(g) dated 7/1/05]</i></p> <p>G. The Company shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken shall include, but are not limited to, the following: minimize gasoline spills; clean up spills as expeditiously as possible; cover all open gasoline containers with a gasketed seal when not in use; minimize gasoline sent to open waste collection systems that collect and transport gasoline reclamation and recycling devices. <i>[Reference 40 CFR 63.424(g) dated 7/1/06]</i></p> <p>J. Loading of gasoline cargo tanks shall be restricted to the use of submerged fill. <i>[Reference Reg. 24 Section 25(b)(10) dated 11/29/94]</i></p>	<p>I. The Company shall operate the vapor processing system in a manner not to exceed the operating parameter value described in 40 CFR 63.427(a)(1). <i>[Reference 40 CFR 63.427(b) dated 7/1/06]</i></p> <p>v. Record Keeping: The Company shall maintain the following records for at least 5 years:</p> <p>A. All periods of operation during which the sixty (60) minute rolling average VOC concentration in the exhaust gases are greater than 1.1% propane dry. <i>[Reference Permit APC-88/0125(A2) Cond No. 11(b)]</i></p> <p>B. A log of all operating times of the VRU. <i>[Reference Permit APC-88/0125(A2) Cond No. 11(b)]</i></p> <p>C. Daily gasoline throughput. <i>[Reference Permit APC-88/0125(A2) Cond No. 11(b) and Regulation No. 24 Section 25(d) dated 11/29/94]</i></p> <p>D. A log of the twelve (12) month rolling gasoline throughput in gallons and the rolling twelve month total of propane and propylene trucks loaded. <i>[Reference Permit APC-88/0125(A2) Cond No. 11(b)]</i></p> <p>E. The Company shall keep records of the test results for each gasoline cargo tank loading at the facility as follows:</p> <ol style="list-style-type: none">1. Annual certification testing performed under Part 63.425(e).2. Continuous performance testing performed at any time at the facility under Part 63.425(f), (g), and (h).3. The documentation file shall be kept up-to-date records of each gasoline cargo tank loading at the facility. The documentation for each test shall include, as a minimum, the information required in Part 63.428(b)(3). <p><i>[Reference Permit APC-88/0125(A2) Cond No. 11(b), 40 CFR 60.505(a) dated 7/1/05, Regulation No. 24 Section</i></p>	

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	<p><i>25(d) dated 11/29/94 and 40 CFR 63.428(b) dated 7/1/06]</i></p> <p>F. A log book shall be used and signed by the owner or operator at the completion of each leak inspection. A section of the log shall contain a list, summary description, or diagram(s) showing location of all equipment in gasoline service at facility. <i>[Reference 40 CFR 63.424(b) dated 7/1/06]</i></p> <p>G. A record of each monthly inspection shall be kept on file at the terminal and shall include, as a minimum, the following information:</p> <ol style="list-style-type: none">1. The equipment type and identification number.2. The nature of the leak (i.e., vapor or liquid) and the method of detection (i.e., sight, smell, or sound).3. The date the leak was detected and and date of each attempt to repair the leak.4. Repair methods applied in each attempt to repair the leak.5. "Repair delayed" and the reason for the delay if the leak is not repaired within 15 calendar days after discovery of the leak.6. The expected date of successful repair of the leak if the leak is not repaired within 15 days.7. The date of the successful repair of the leak. <p><i>[Reference 40 CFR 63.428(e) dated 7/1/06]</i></p> <p>H. The documentation file shall be kept up to date for each gasoline cargo tank loading at the facility. The documentation shall include the following <i>[Reference Reg. 24 Section 25(d) dated 11/24/94 and 40 CFR 63.428(b)(3) dated 7/1/06]</i>:</p> <ol style="list-style-type: none">1. The name of the test2. Cargo tank owner's name and address3. Cargo tank identification number4. Test location and date	

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	<p>5. Tester name and signature</p> <p>6. Witnessing inspector, if any: Name, signature, and affiliation</p> <p>7. Vapor tightness repair: Nature of repair work and when performed in relation to vapor tightness testing.</p> <p>8. Test results: Pressure or vacuum change, mm of water, time period of test; number of leaks found with instrument and leak definition.</p> <p>I. The Company shall maintain records in accordance with 40 CFR 63.6(e)(3) for the Start-up, Shut-down, and Malfunction Plan. <i>[Reference 40 CFR 63.6(e)(3) dated 7/1/06]</i></p>	
<p>2. Visible Emissions</p> <p>i. Emission Limitations: The emissions of visible air contaminants shall not exceed twenty (20%) percent opacity for an aggregate of more than 3 minutes in any one hour period or more than 15 minutes in any 24 hour period. <i>[Reference Reg. No. 14, Section 2.1, dated 7/17/84 and Permit APC-88/0125(A2) Cond No. 13]</i></p>	<p>ii. Compliance Method: Compliance shall be demonstrated by the proper operation/maintenance of the emission units and record keeping. <i>[Reference Reg. 30 Section 6(a)(3) dated 12/11/00]</i></p> <p>iii. Monitoring/Testing: As appropriate, conduct visual observations at fifteen-second intervals for a period of not less than one hour except that the observations may be discontinued whenever a violation of the standard is recorded. The additional procedures, qualification and testing used for visually determining the opacity shall be those specified in Section 2 and 3 (except for Section 2.5 and the second sentence of Section 2.4) of reference Method 9 set forth in Appendix A, 40 CFR Part 60, revised July 1, 1982. <i>[Reference Reg. 20, Section 1.5(c), dated 12/7/88]</i></p> <p>iv. Record Keeping: Observation records shall be maintained on site. <i>[Reference Reg. 30 Section 6(a)(3)(i)(B) dated 12/11/00]</i></p>	<p>v. Reporting Requirements: None in addition to Condition 3(c)(2) of this permit.</p> <p>vi. Certification Requirements: None in addition to Condition 3(c)(3) of this permit.</p>

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b. Emission Unit No. 2 - Flare		
<p>1. Volatile Organic Compounds</p> <p>i. Operational Limitations: The existing flare shall serve as a back-up unit during periods when the VRU is not operating. <i>[Reference Permit APC-88/0125(A2) Cond No. 9]</i></p>	<p>ii. Compliance Method: A. The flare shall comply with the requirements of 40 CFR 63.425(a)(2). <i>[Reference 40 CFR 63.425 dated 7/1/06]</i> B. Compliance shall be demonstrated by the proper operation of the emission unit and record keeping. <i>[Reference Reg. 30 Section 6(a)(3) dated 12/11/00]</i></p> <p>iii. Monitoring/Testing: A. The Company shall monitor the presence of a flame by means of a flame sensing device during all periods of operation. <i>[Reference Permit APC-88/0125(A2) Cond No. 11(a) and 40 CFR 63.9(b)(5) dated 7/1/06]</i> B. Compliance testing of the flare shall be conducted in accordance with the requirements of §63.425. <i>[Reference 40 CFR 63.425 dated 7/1/06]</i></p> <p>iv. Record Keeping: None in addition to Condition 3(b)(1)(ii) and 3(b)(2) of this permit.</p>	<p>v. Reporting Requirements: None in addition to Condition 3(c)(2) of this permit.</p> <p>vi. Certification Requirements: None in addition to Condition 3(c)(3) of this permit.</p>
<p>2. Visible Emissions</p> <p>i. Emission Limitations: During periods of flare operation, the flare shall be operated with no visible emissions except for periods not to exceed a total of five (5) minutes during any two (2) consecutive hours. <i>[Reference Permit APC-88/0125(A2) Cond No. 13 and 40 CFR 63.9(b)(4) dated 7/1/06]</i></p>	<p>ii. Compliance Method: Compliance with the emission limitation of Condition 3 Table 1 (b)(2)(i) shall be demonstrated by complying with the monitoring/testing and record keeping requirements of Condition 3 Table 1(b)(2)(iii) and Condition 3 Table 1(b)(2)(iv).</p> <p>iii. Monitoring/Testing: The Company shall conduct a visible emissions evaluation in accordance with Reference Method 22 of 40 CFR Part 60, Appendix A, when the unit is put in service and once</p>	<p>v. Reporting Requirements: None in addition to Condition 3(c)(2) of this permit.</p> <p>vi. Certification Requirements: None in addition to Condition 3(c)(3) of this permit.</p>

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	<p>each day thereafter every time the flare is operated in place of the HEADAB. <i>[Reference Reg. No. 30 Section 6(a)(3)(i)(B) dated 12/11/00]</i></p> <p>iv. Record Keeping: In addition to the requirements of Conditions 3(b)(2) of this permit, the Company shall maintain records of all observations. <i>[Reference Reg. No. 30 Sections 6(a)(3)(i)(B) and 6(b)(1) dated 12/11/00]</i></p>	
c. Facility Wide		
<p>1. Handling, Storage and Disposal of VOCs</p> <p>i. Work Practice Standards</p> <p>A. The Company shall not cause, allow, or permit the disposal of more than 11 pounds of a Volatile Organic Compound (VOC), or of any materials containing more than 11 pounds of any VOCs, in any 1 day, in a manner that would permit the evaporation of VOC into the ambient air. This includes but is not limited to the disposal of VOC from any VOC control devices. This provision does not apply to <i>[Reference Regulation No. 24, Section 8 dated 11/29/94]</i>:</p> <ol style="list-style-type: none"> <u>1.</u> Any VOC or material containing VOC emitted from a regulated entity that is subject to a VOC standard under Regulation No. 24. <u>2.</u> Any VOC or material containing VOCs used during process maintenance turnarounds for cleaning purposes, provided that the provisions of paragraph (B), (C), and (D) of 	<p>ii. Compliance Method: Compliance shall be demonstrated by adherence to good engineering operation and work practices, and based upon record keeping for the proper operation and maintenance of the equipment covered by this permit. <i>[Reference Reg. No. 30 Sections 6(a)(3)(i)(B) and 6(b)(1) dated 12/11/00]</i></p> <p>iii. Monitoring/Testing:</p> <p>A. Daily review of preventative maintenance activities and records as they relate to break downs, equipment Vendor Specifications and Industrial Standards. <i>[Reference Reg. 30 Section 6(a)(3) dated 12/11/00]</i></p> <p>iv. Record Keeping: None in addition to Condition 3(b)(1)(ii) and 3(b)(2) of this permit.</p>	<p>v. Reporting Requirements: That required by Conditions 2(a), 3(b), and 3(c)(2) of this permit.</p> <p>vi. Certification Requirements: None in addition to condition 3(c)(3) of this permit.</p>

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<p>this condition are followed.</p> <p>3. Waste paint (sludge) handling systems, water treatment systems, and other similar operations at coating facilities using complying coatings</p> <p>4. Coating sources that are exempt from the emission limitations of Section 10 through Section 23 of Regulation No. 24.</p> <p>B. No owner or operator of a facility subject to this regulation shall use open containers for the storage or disposal of cloth or paper impregnated with VOCs that are used for surface preparation, cleanup, or coating removal. Containers for the storage or disposal of cloth or paper impregnated with VOCs shall be kept closed, except when adding or removing material. <i>[Reference Regulation No. 24, Section 8 dated 11/29/94]</i></p> <p>C. No owner or operator of a facility subject to this regulation shall store in open containers spent or fresh VOC to be used for surface preparation, cleanup or coating removal. Containers for the storage of spent or fresh VOCs shall be kept closed, except when adding or removing material. <i>[Reference Regulation No. 24, Section 8 dated 11/29/94]</i></p> <p>D. No owner or operator shall use VOC for the cleanup of spray equipment unless equipment is used to collect the cleaning compounds and to minimize their evaporation to the atmosphere. <i>[Reference Regulation No. 24, Section 8 dated 11/29/94]</i></p>		

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<p>2. Odors - STATE ENFORCEABLE ONLY</p> <p>i. Emission Limitations: The Company shall not cause or allow the emission of odorous contaminants in such quantities as to interfere with any person's enjoyment of life and properties. <i>[Reference Reg. No. 19 Section 2.1 dated 2/1/81 and Permit APC-88/0125(A2) Cond No. 3]</i></p>	<p>ii. Compliance Method: Compliance shall be demonstrated in accordance with the Record Keeping requirements of this condition. <i>[Reference Reg. No. 30 Sections 6(a)(3)(ii)(C) and 6(b)(2) dated 12/11/00]</i></p> <p>iii. Monitoring/Testing: Including but not limited to scentometer tests, air quality monitoring, and affidavits from affected citizens and investigators. <i>[Reference Reg. No. 19 Section 1.2 dated 2/1/81]</i></p> <p>iv. Record Keeping: Records of all monitoring/testing and citizen complaints reported to the Company shall be maintained on site. <i>[Reference Reg. No. 30 Section 6(a)(3) dated 12/11/00]</i></p>	<p>v. Reporting Requirements: That required by Conditions 2(a), 3(b)(1)(ii), and 3(c)(2) of this permit.</p> <p>vi. Certification Requirements: None in addition to Condition 3(c)(3).</p>
<p>3. Operations and Maintenance</p> <p>i. Operational Limitations: All structural and mechanical components of the equipment covered by this shall be maintained in proper operating condition and such equipment shall be operated at all times in a manner consistent with good air pollution control practice. <i>[Reference Reg. No. 1 Section 3 dated 2/1/81]</i></p>	<p>ii. Compliance Method: Compliance shall be demonstrated by adherence to good engineering operation and work practices, and based upon record keeping for the proper operation and maintenance of the equipment covered by this permit. <i>[Reference Reg. No. 30 Sections 6(a)(3)(i)(B) and 6(b)(1) dated 12/11/00]</i></p> <p>iii. Monitoring/Testing: Daily review of preventative maintenance activities and records as they relate to break downs, equipment Vendor Specifications and Industrial Standards. <i>[Reference Reg. No. 30 Section 6(a)(3) dated 12/11/00]</i></p> <p>iv. Record Keeping: That required by Condition 3(b)(1)(ii) and 3(b)(2) of this permit.</p>	<p>v. Reporting Requirements: That required by Conditions 2(a), 3(b)(1)(ii), and 3(c)(2) of this permit.</p> <p>vi. Certification Requirements: None in addition to Condition 3(c)(3).</p>

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<p>4. Other Units that Emit VOCs: Qualified as Insignificant Emission Units Emission Points: 003, 004, 005, 006, 007, 008, 012, 013, 014, 015, 016, 017, 018, 019, 020.</p> <p>i. Operational Limitation: VOC emissions shall not exceed 25 tons/yr on a rolling twelve (12) month basis based on engineering calculations performed through the use of equations found in AP-42. <i>[Reference Regulation No. 24 Section 50(a) dated 11/29/94]</i></p>	<p>ii. Compliance: Compliance with Condition 3 Table 1(c)(4)(i) shall be demonstrated by record keeping. <i>[Reference Regulation No. 24 Section 50(c) dated 11/29/94]</i></p> <p>iii. Monitoring: The Company shall monitor each tank's daily liquid throughput (in gallons). <i>[Reference Reg. 30 Section 6(a)(3) dated 12/11/00]</i></p> <p>iv. Record Keeping: The Company shall maintain the following records: A. The maximum true vapor pressure of the liquid stored. B. The type of liquid stored. C. The daily liquid throughput. <i>[Reference Reg. 30 Section 6(a)(3) dated 12/11/00]</i></p>	<p>v. Reporting Requirements: That required by Conditions 2(a), 3(b)(1)(ii), and 3(c)(2) of this permit.</p> <p>vi. Certification Requirements: None in addition to Condition 3(c)(3).</p>

Condition 4. Operational Flexibility.

- a. In addition to the operational flexibility specifically provided in the terms and conditions detailed in Condition 3 - Table 1 of this permit, the Company is authorized to make any change within the facility which contravenes the terms and conditions of this permit without a permit revision if the change:
 1. Is not a modification or otherwise prohibited under any provision of Title I of the Act or the State Implementation Plan (SIP); and *[Reference Regulation No. 30 Section 6(h), dated 11/15/93]*
 2. Does not involve a change in any compliance schedule date; and *[Reference Regulation No. 30 Section 6(h), dated 11/15/93]*
 3. Does not result in a level of emissions exceeding the emissions allowable under this permit, whether expressed herein as a rate of emissions or in terms of total emissions. *[Reference Regulation No. 30 Section 6(h), dated 11/15/93]*
- b. Before making a change under the provisions of Condition 4(a) of this permit, the Company shall provide advance written notice to the Department and to the EPA in accordance with Condition 3(c)(2)(iii) of this permit. *[Reference Regulation No. 30 Section 6(h)(1), dated 11/15/93]*
- c. The Company shall keep records of any change made under Condition 4 of this permit in accordance with Condition 3(b)(2)(iv) of this permit. *[Reference Regulation No. 30 Section 6(h)(1), dated 11/15/93]*

Condition 5. Compliance Schedule.

This permit does not contain a compliance schedule. *[Reference Regulation No. 30, Section 6(c)(3), dated 12/11/00]*

Condition 6. Permit Shield.

This permit does not provide a permit shield and shall not be presumed to provide such a shield. *[Reference Regulation No. 30 Section 6(f)(3) dated 12/11/00]*